BILLING CODE 4310-55

**DEPARTMENT OF THE INTERIOR**

**Fish and Wildlife Service**

**Notice of Intent to Prepare a Joint Environmental Impact Statement/ Environmental Impact Report for the Invasive Spartina Project**

**AGENCY:** Fish and Wildlife Service, Interior (Lead Agency).

**ACTION:** Notice of Intent.

**SUMMARY:** The Fish and Wildlife Service (Service) and the California State Coastal Conservancy (Conservancy) are preparing a programmatic Environmental Impact Statement/Environmental Impact Report (EIS/R) for the implementation of a regional eradication and control program for non-native, invasive *Spartina*, a perennial cordgrass. The EIS/R is intended to provide National Environmental Policy Act (NEPA) and California Environmental Quality Act (CEQA) compliance for the overall Invasive Spartina Project which includes the identification of all necessary permits and approvals from lead agencies, and supporting environmental documentation for other local, state, and federal permits. The EIS/R can also provide supporting documentation for future grant applications to obtain funding necessary to implement certain elements of the overall project.

**DATES:** A public scoping meeting to solicit public comment on the proposed action and

alternatives will be held on _____date_____, 2001 at ____(place)_____ from __(start time)_____ to (end time)____pm. Written comments are encouraged and should be received on or before [insert date 60 days after date of publication in the FEDERAL REGISTER].

**ADDRESSES:** Information, comments, or questions related to the preparation of Environmental Impact Statement and the National Environmental Policy Act process should be submitted to Wayne White, Field Supervisor, U.S. Fish and Wildlife Service, Sacramento Fish and Wildlife Office, 2800 Cottage Way, W-2605, Sacramento, California 95825. Written comments may also be sent by facsimile to (916) 414-6713. All comments, including names and addresses, will become part of the administrative record and may be released.

**FOR FURTHER INFORMATION CONTACT:** Questions regarding the scoping process or preparation of the Environmental Impact Statement may be directed to Ms. Marla Macoubrie, U.S. Fish and Wildlife Service, Sacramento Fish and Wildlife Office, 2800 Cottage Way, W-2605, Sacramento, California 95825 (telephone (916) 414-6600). For questions concerning the preparation of the Environmental Impact Report and the California Environmental Quality Act process please contact Ms. Maxene Spellman, California State Coastal Conservancy, 1330 Broadway, 11th Floor, Oakland, California, 94612 (telephone (510) 286-0332).

**SUPPLEMENTARY INFORMATION:**

**Project description**

This EIS/R will evaluate the environmental effects of adoption and implementation of a regional program for the control of invasive species of *Spartina* in the San Francisco Bay Estuary. The EIS/R will be a programmatic evaluation of the environmental impacts of the proposed eradication and control methods throughout San Francisco Bay, supplemented by project-specific Initial Studies/Environmental Assessments at up to four pilot project sites.

The habitats subject to exotic species control efforts include tidal marshlands and intertidal mudflats of the San Francisco Bay Estuary. Eradication/control efforts will be regionally coordinated with other resource and wildlife agencies in order to minimize disturbance to sensitive habitats and species, while successfully controlling non-native *Spartina.*

**Project location**

Environmental impacts of the proposed eradication and control methods will be evaluated throughout San Francisco Bay estuary tidal and intertidal zones as part of the Programmatic EIS/R evaluation. Project specific Initial Studies/Environmental Assessments will be conducted to identify site-specific impacts at up to four pilot project sites. These four project-level studies will allow consideration of specific techniques

tailored to these specific environments. The habitats subject to exotic species control efforts include tidal marshlands and intertidal mudflats of the San Francisco Bay Estuary.

**Project purpose**

The primary goal of the Invasive Spartina Project is to control invasive *Spartina* in the tidal marshlands and intertidal mudflats along the San Francisco Bay margins, which provide habitat for several threatened and endangered species. It is estimated that eradication of *S. alterniflora* could preserve 40,000 acres of tidal wetland and 29,000 acres of intertidal mud flats. Three other introduced species of *Spartina* found in San Francisco Bay, *S. anglica*, *S. densiflora*, and *S. patens*, also would be targeted by this project.

**Alternatives**

Six methods are identified to control and eradicate invasive *Spartina*, listed below. Proposed alternatives considered in the EIS/R may consider habitat type/setting and geographic location in conjunction with the control methods below. Alternatives may involve one or more of these methods. Methods under consideration include:

- Covering with fabric and/or plastic materials to prevent photosynthesis;

- Mowing with mowers or “weed-eaters”; mowing and burying with sediments

- Physical removal of seedlings and plants by digging, pulling, pushing or seedhead clipping;

- Chemical control with registered herbicide (Rodeo) or experimentally permitted herbicides (Sonar, Arsenal), and surfactants by ground application (backpack, truck, airboat, hovercraft, all terrain vehicle) or aerial application;

- Temporary diking of wetlands;

- Prescribed burns;

- Combinations of the above methods (such as mowing and herbicide application).

The EIS/R will evaluate individual and cumulative impacts of alternatives based on the above control methods, as well as the no project/no action alternative, in accordance with NEPA and CEQA. Additional methods may be added following the public scoping process. The alternatives will be developed in coordination with Service, California Department of Fish and Game, the Conservancy/Invasive Spartina Project team, and private landowners with populations of *Spartina*.

**Potential effects of alternative control methods**

The direct effects of physical and mechanical measures include disruption of soil/sediment, potentially resulting in erosion, increased water turbidity, and related adverse effects on aquatic biota. These measures also have the potential to cause accidental mortality of desirable, non-target species including sensitive species such as the California clapper rail (*Rallus longirostris obsoletus*), California black rail (*Laterallus jamaicensis*), salt marsh harvest mouse (*Reithrodontomys raviventris*), and others. In addition, by disrupting the soil/sediment, they could actually facilitate subsequent colonization by non-native *Spartina* or other invasive species.

Chemical measures (herbicides) have the potential to kill non-target plant species, such as native salt marsh plants, eelgrass, and algae. This could result in adverse indirect impacts to the salt marsh community in general, including sensitive species such as the California clapper rail, California black rail, salt marsh harvest mouse, and others. Loss of eelgrass and other marine flora would result in the loss of nursery and feeding habitat for many species of fish and invertebrates, including sensitive species such as winter-run chinook salmon (*Oncorhynchus tshawytscha*), coho salmon (*Oncorhynchus kisutch*), steelhead (*Oncorhynchus mykiss*), and others. These habitats also provide foraging habitat for marine bird species, including the California least tern (*Sterna antillarum*).

The toxicity to animals from the herbicides under consideration is generally considered to be low. However, the environmental analysis will evaluate this toxicity, as well as the persistence and transport of these herbicides, and their potential to have toxic

effects at distance from the application site. In addition, *Spartina* control has the potential to change existing sediment accretion (shoaling) and erosion patterns, which could affect hydrodynamic (currents, circulation, and waves) patterns. This could potentially degrade water quality (turbidity, flushing) as well as biological communities (eelgrass, kelp beds, or marshes).

**Potential discretionary actions and approvals**

The following actions and approvals are anticipated to be required:

- U.S. Army Corps of Engineers permit for Section 10 of the Rivers and Harbor Act and Section 404 of the Federal Clean Water Act;

- Federal and State Endangered Species Act permits

- California State Coastal Conservancy Plan approval;

- California Department of Transportation (Caltrans) Encroachment Permit;

- California Department of Fish and Game Streambed Alteration Agreement, Section 1601 of the California State Fish and Game Code;

- California State Regional Water Quality Control Board 401 Certification and/or

Discharge Permit;

- California State Bay Area Air Quality Management District permit

- Certified Unified Program Agency permit (CUPA Fire Department coordination)

- San Francisco Bay Conservation and Development Commission Permit;

- Local agency approval of specific implementation of projects;

**SCOPING PROCESS:** The EIS/R will be prepared in compliance with NEPA and the Council on Environmental Quality (CEQ) NEPA Regulations, contained in 40 C.F.R. Parts 1500-1508; the CEQA, Public Resources Code Sec 21000 et.seg., and the CEQA Guidelines, as amended. Because NEPA and CEQA are somewhat different with regard to procedural and content requirements, the document must be prepared to comply with whichever requirements are more stringent. The Service will be the lead agency under the NEPA and the Conservancy will be the lead agency under the CEQA. In accordance with both CEQA and NEPA, the lead agencies have the responsibility for the scope, content, and legal adequacy of the document. Therefore, all aspects of the EIS/R scope and process will be fully coordinated with the two agencies.

The draft EIS/R will incorporate public concerns associated with the project

alternatives, and will be distributed for at least a 45-day public comment period, during which time both written and verbal comments will be solicited on the adequacy of the document. The final EIS/R will address the comments received on the draft EIS/R during public review. The document will be made available to all commenters on the draft EIS/R, and to anyone who requests a copy during the 45-day public review period. The final EIS/R (1) must provide a full and fair discussion of the proposed action's significant environmental impacts, and (2) must inform the decision-makers and the public of reasonable measures and alternatives that would avoid or minimize adverse impacts.

The final step in the review process for the Federal EIS is preparing a Record of Decision (ROD) and, for the State EIR, certifying the EIR, including a mitigation a Mitigation Monitoring and Reporting Plan and adopting findings should the project be approved. The ROD is a concise summary of the decisions made by the Service from among the alternatives presented in the final EIS/R. The ROD can be published immediately after the final EIS comment period ends. A certified EIR indicates that the environmental document has been completed in compliance with CEQA; that the decision-making body of the lead agency reviewed and considered the final EIR prior to approving the project; and that the final EIR reflects the lead agency’s independent judgement and analysis.

This notice is provided pursuant to regulations for implementing the National Environmental Policy Act of 1969 (40 CFR 1506.6).

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Manager, California/Nevada Operations Office Date